REMARKS

Summary

Claims 1-24 are currently pending in the application. Claims 11 and 22 were objected to. Claim 12 was rejected under 35 USC 112. Claims 1-24 were rejected under 35 USC 102. Claim 2 has been cancelled. Claims 1, 11, 12 and 22 have been amended. No new matter has been added.

Objections

Claims 11 and 22 were rejected to at page 2 of the Detailed Action. Correction was required. Applicants have amended claims 11 and 22 as directed by the Examiner. Applicants believe that the amendments overcome the objections. Support for the amendments can be found in the specification generally which refers to "portable data terminal" and "user's needs" in numerous paragraphs. No new matter has been added.
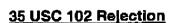
35 USC 112 Rejection

Claim 12 was rejected under 35 USC 112. Applicants have amended claim 12 to depend from claim 3. The amendment corrects a typographical error. Antecedence for claims 12 "the data processing unit" is now correct since the element was introduced in claim 3 from which claim 12 depends. Applicants respectfully thank the Examiner for providing details regarding the claim rejection and for construing claim 12 as depending from claim 3 for examination purposes. No new matter has been added.

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35 USC 102 Rejection

Claims 1-24 were rejected under 35 USC 102 as being anticipated by Kadaba et al. EP 0 787 334 B1, (hereinafter Kadaba). Applicants respectfully submit that Kadaba does not teach or suggest each and every element of Applicants' claimed invention.

Claim 1

Claim 1 has been amended to incorporate the language of claim 2. In the interest of prosecution efficiency, Applicants will address the rejection of claim 2 as it pertains to amended claim 1. Regarding Claim 1 (as amended), Kadaba does not teach or suggest the following element of claim 1: "wherein the receipt information and the internal movement information are recorded with **a data collection format . . . the system is configurable so as to allow a user to use the base station t modify the data collection format according to the user's needs.**" (Emphasis added). The Office Action at page 3 states that "Kadaba, et al discloses: Wherein the system is configurable so as to allow a user to use the base station to modify . . . (Col. 12, lines 46-49)." Applicants have reviewed Kadaba including the particular citation applied to the clause of claim 2. The citation reads "[t]he system of Claim 1 wherein said processor (17) is **configured to respond to said queries** made by name of recipient, by date, by a parcel tracking number, or by destination." (Emphasis added). Applicants respectfully disagree that this citation is the same as Applicants' claim 2. Applicants' claim 2 includes "data collection format" and "configurable". The Kadaba citation states "configured to respond to said queries". The mere similarity in the choice of language to claim the Kadaba invention and Applicants' invention (**"configured"** (Kadaba) and **"configurable"** (Applicants' amended claim 1)) does not mean that Kadaba teaches each and every element of

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Applicants claimed inv ntion. The diff rences are clear and the specifications furth r elaborate: 1) Kadaba discuses queries at col. 8, line 23 to col. 9, line 49; and 2) Applicants specification generally discusses configurable data collection formats. Some examples of Applicants configurable data collection format can be found in the Specification at pages 13-15.

As discussed above, nowhere in the citation is there any teaching or suggestion of Applicants' claimed "a data collection format . . . the system is configurable so as to allow a user to use the base station to modify the data collection format according to the user's needs.". Therefore, Applicants respectfully request that the 35 USC 102 rejection of claim 1 (as amended) be withdrawn.

Claims 3-12

Since claims 3-12 depend directly or indirectly from amended independent claim 1, based upon the reasons set forth above regarding claim 1, Kadaba fails to teach or suggest each and every element of claims 3-12 and Applicants respectfully request that the 35 USC 102 rejection of claims 3-12 be withdrawn.
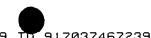
Claim 13

Independent claim 13 includes the clause "wherein said data terminal is programmed to: (c) record information regarding the receipt and the internal movement of items, and wherein the information regarding the receipt and the internal movement of items is inputted with **a data collection format which can b created and/or modified by a user according to the user's needs.**" (Emphasis added). The Office Action at page 5 cites Kadaba col. 12, lines 7-16 and lines 46-49 as disclosing this portion of Applicants' claim 13. For the reasons set forth above regarding claim 1, which also had Kadaba cited at col. 12, lines 46-69, Applicants respectfully submit that Kadaba does not teach each and every element of claim 13.

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Applicants note that there is a diff rence in the claim language between claim 1 and claim 13. In claim 13, the language that Applicants use is "created and/or modified by a user". However, for the same reasons as stated above, this is not the same as Kadaba's "configured to respond to said queries". Therefore, Applicants respectfully request that the 35 USC 102 rejection of claim 13 (as amended) be withdrawn.

Claims 14-21

Since claims 14-21 depend directly or indirectly from amended independent claim 13, based upon the reasons set forth above regarding claim 13, Kadaba fails to teach or suggest each and every element of claims 14-21and Applicants respectfully request that the 35 USC 102 rejection of claims 14-21 be withdrawn.
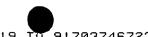
Claim 22

Independent claim 22 (as amended) includes the clause "recording information regarding the internal movement of the item; wherein the receipt information and th internal movement information are recorded with **a data collection format which is upgradable in order to allow the user to change the data format according to the user's needs.**" (Emphasis added). The Office Action at page 6 cites Kadaba col. 12, lines 46-49 as disclosing this portion of Applicants' claim 22. For the reasons set forth above regarding claim 1, which also cited Kadaba at col. 12, lines 46-69, Applicants respectfully submit that Kadaba does not teach each and every element of claim 22. Applicants note that there is a difference in the claim language betwe n claim 1 and claim 22. In claim 22, the language that Applicants use is "upgradable in order to allow the user to change the data format according to the user's needs." However, for the same reasons as stated above, this is not the same as Kadaba's "configured to respond to said queries". Therefore, Applicants respectfully request that the 35 USC 102 rejection of claim 22 (as amended) be withdrawn.

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Claims 23-24

Since claims 23-24 depend directly or indirectly from amended independent claim 22, based upon the reasons set forth above regarding claim 22, Kadaba fails to teach or suggest each and every element of claims 23-24 and Applicants respectfully request that the 35 USC 102 rejection of claims 23-24 be withdrawn.

Conclusion

In view of the foregoing amendments and following remarks, it is respectfully submitted that the claims of this application are now in a condition for allowance and favorable action thereon is requested.
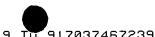
Respectfully submitted,

Alberta A. Vitale
Reg. No. 41,520
Attorney of Record
Telephone (203) 924-3882

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

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In the specification:

No amendments have been made to the specification.

In the claims:

Please cancel claim 2.
Please amend claims 1, 11, 12 and 22 as follows:

1.   (amended) A system for tracking receipt and internal movement resulting in a delivery or other final disposition status of items such as packages within an organization, wherein each item is sent by a sender and received from a carrier to be delivered to a recipient, said system comprising:

a)   a portable data terminal programmed to:

(i)   record information regarding the receipt of the item, and

(ii)   record information regarding the internal movement of the item wherein the receipt information and the internal movement information are recorded with a data collection format; ~~and~~

b)   a base station capable of communicating with the portable data terminal for uploading electronic files thereto in order to modify the data collection format; <u>and</u>
<u>wherein the system is configurable so as to allow a user to use the base station to modify the data collection format according to the user's needs.</u>

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11.   (amended) The system of claim 1, furth r comprising a communication medium so as to allow the portable data terminate-terminal to communicate with the base station via the communication medium.

12.   (amended) The system of claim 133, further comprising a connection cradle so as to allow the portable data terminal to communicate with the data processing unit via the connection cradle.

22.   (amended) A method for tracking receipt and internal movement resulting in a delivery or other final disposition status of an item within an organization, wherein the item is sent by a sender and received by a carrier to be delivered to a recipient, said method comprising the steps of:

(a)   recording information regarding the receipt of the item, and
(b)   recording information regarding the internal movement of the item;
wherein the receipt information and the internal movement information are recorded with a data collection format which is upgradable in order to allow the user to change the data format according to the user's needs.

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